

TODD KIM  
Assistant Attorney General  
Environment & Natural Resources Division  
S. JAY GOVINDAN, Section Chief  
NICOLE M. SMITH, Assistant Section Chief  
ANTHONY D. ORTIZ, Trial Attorney  
U.S. Department of Justice  
Environment & Natural Resources Division  
Wildlife & Marine Resources Section  
P.O. Box 7611, Ben Franklin Station  
Washington, D.C. 20044  
Tel | (202) 307-1147; Fax | (202) 305-0275  
E-mail: Anthony.D.Ortiz@usdoj.gov

*Attorneys for Federal Defendants*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

CENTER FOR BIOLOGICAL  
DIVERSITY, et al.,

Plaintiffs,

v.

DEBRA A. HAALAND, et al.,

Federal Defendants,

and

STATE OF MONTANA AND  
MONTANA DEPARTMENT OF  
FISH, WILDLIFE, AND PARKS,

Intervenor-Defendants.

Case No. 2:23-cv-00002-DLC

**FEDERAL DEFENDANTS' CROSS  
MOTION FOR SUMMARY  
JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Federal Defendants Debra A. Haaland, Martha Williams, and the United States Fish and Wildlife Service (collectively “Federal Defendants”), hereby cross-move for summary judgment on all claims in Plaintiffs’ Complaint (ECF. No. 1). For the reasons set forth in the accompanying brief, Federal Defendants oppose Plaintiffs’ Motion for Summary Judgment (ECF No. 29), and respectfully request that the Court grant summary judgment in favor of Federal Defendants.

Date: March 12, 2024

Respectfully Submitted,

TODD KIM

Assistant Attorney General

S. JAY GOVINDAN, Section Chief

NICOLE M. SMITH, Assistant Section Chief

/s/ Anthony D. Ortiz

ANTHONY D. ORTIZ

Trial Attorney, (DC Bar 978873)

U.S. Department of Justice

Environment & Natural Resources Division

Wildlife & Marine Resources Section

P.O. Box 7611, Ben Franklin Station

Washington, D.C. 20044

Tel | (202) 307-1147; Fax | (202) 305-0275

E-mail: Anthony.D.Ortiz@usdoj.gov